Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on April 27, 2020, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.



Agenda Planning and Zoning Commission Meeting City Hall Council Chambers One City Plaza Yuma, AZ

Monday, April 27, 2020, 4:30 p.m.

Consistent with the March 13, 2020 Arizona Attorney General informal opinion Relating to Arizona's Open Meeting Law and COVID-19, in order to protect the public and reduce the chance of COVID-19 transmission, the meetings of the City of Yuma Planning and Zoning Commission will be conducted remotely through technological means.

City Hall Council Chambers will be closed to the public.

Members of the public may view the meetings live on City Channels 73 and 72 and live-streamed on the City of Yuma website. Recordings of the meetings will be available on the City's website after the meeting.

Public comment regarding any <u>agenda</u> item shall be limited to those provided in written format to the Planning and Zoning Commission secretary at email address planning@yumaaz.gov no later than 15 minutes prior to the start of the scheduled meeting. Comments received timely will be read into the record when the referenced agenda item is discussed.

CALL TO ORDER

CONSENT CALENDAR — All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item.

APPROVAL OF MINUTES

January 27, 2020 (3 of 4 required: Hamel, Dammeyer, Counts, and Follmuth)

February 24, 2020 (3 of 4 required: Hamel, Counts, Beam, and Arney)

April 13, 2020 (4 of 7 required: Hamel, Counts, Beam, Arney, Dammeyer, Scott, and Edgar)

WITHDRAWALS BY APPLICANT - NONE

TIME EXTENSIONS - NONE

CONTINUANCES - NONE

APPROVALS -

- 1. <u>SUBD-29516-2020:</u> This is a request by Edais Engineering, Inc., on behalf of Riedel Construction Company, LLC, for approval of the preliminary plat for La Estancia Subdivision. This subdivision contains approximately 40 acres and is proposed to be divided into 179 residential lots, ranging in size from approximately 6,005 square feet to 12,785 square feet, for the property located at the southeast corner of S. Avenue 8 ½ E and E. 40th Street, Yuma, AZ.
- 2. <u>SUBD-29644-2020:</u> This is a request by Dahl, Robins, and Associates, Inc., on behalf of Yucca Land Company, LLC, for approval of the preliminary plat for the Desert Sands Subdivision Unit 2, proposed to be divided into 97 residential lots ranging in size from 5,095 square feet to 14,138 square feet. The property is located at the southwest corner of E. 44th Street and S. Avenue 7 ½E, Yuma, AZ.
- 3. <u>ZONE-27421-2019:</u> This is a request by Core Engineering Group, on behalf of Susan Lee Bettaile Trust, to rezone 3.25 acres from the Agriculture (AG) District to General Commercial (B-2) District, for the property located at 7600 E. 32nd St., Yuma, Arizona.

PUBLIC HEARINGS - NONE

INFORMATION ITEMS

- 1. STAFF
- 2. COMMISSION
- 3. Public Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

ADJOURN

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149.

Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

Planning and Zoning Commission Meeting Minutes January 27, 2020

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, January 27, 2020, at the Public Works Training Room, 155 W. 14th St., Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present included Chairman Hamel, Vice-Chairman Dammeyer and Commissioners Gregory Counts, and Jacqueline Follmuth, Commissioner Mohindra was absent. There are two vacancies.

STAFF MEMBERS present included Kenneth McCoy, Assistant City Attorney; Agustin Cruz, Senior Civil City Engineer; Alyssa Linville, Assistant Director DCD / Zoning Administrator; Robert Blevins, Principal Planner; Amelia Griffin, Assistant Planner; Jennifer Albers, Principal Planner; Charysse Casillas, Administrative Assistant; and Jessenia Juarez, Administrative Assistant.

Chairman Hamel called the meeting to order at 4:51 p.m. and noted there was a quorum present.

CONSENT CALENDAR

MINUTES – December 9, 2019

WITHDRAWALS BY APPLICANT - None

CONTINUANCES – None

APPROVALS - None

Motion by Dammeyer, second by Counts, to APPROVE the Consent Calendar as presented. Motion carried unanimously (4-0, with 1 absent).

PUBLIC HEARINGS

<u>GP-28531-2019:</u> This is a request by the City of Yuma to adopt the 2020 Tree and Shade Master Plan. This policy document outlines the benefits of trees, an analysis of existing conditions, a vision for the future, and an implementation plan as it specifically relates to our community. The Plan is in accordance with the 2016 Parks & Recreation Master Plan and the City of Yuma 2012 General Plan. (Continued from January 13, 2020.)

Alyssa Linville, Assistant Director DCD / Zoning Administrator, summarized the staff report, recommending APPROVAL.

QUESTIONS FOR STAFF

Hamel commented he was happy to see the involved groups taking ownership of such a lofty plan.

Dammeyer asked if any grants were received and if those grants were deducted from the total of the budget allocation. **Linville** said the Parks and Recreation department were actively applying for grants and had received one for \$200,000, but she was not aware if this was deducted.

APPLICANT / APPLICANT'S REPRESENTATIVE

Not Required

PUBLIC COMMENT

None

MOTION

Motion by Follmuth, second by Dammeyer to APPROVE Case Number GP-28531-2019. Motion carried unanimously (4-0, with 1 absent).

<u>GP-27420-2019</u>: This is a General Plan Amendment request by Core Engineering Group on behalf of the Susan Lee Battaile Trust, to change the land use designation from Medium Density Residential to Commercial for approximately 2.82 acres for property located at 7600 E. 32nd Street. (This is the second of two public hearings.) (Continued from January 13, 2019.)

Jennifer Albers, Principal Planner, summarized the staff report, recommending APPROVAL.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

MOTION

Motion by Counts, second by Dammeyer to APPROVE Case Number GP-27420-2019. Motion carried unanimously (4-0, with 1 absent).

ZONE-28098-2019: This is a request by Edais Engineering, Inc., on behalf of Riedel Construction Company, LLC, to rezone a 19.3-acre parcel from Agriculture (AG) to Low Density Residential (R-1-6), for the property located east of the southeast corner of Avenue 8½E and 40th Street. (Continued from January 13, 2020.)

Robert Blevins, Principal Planner, summarized the staff report, recommending APPROVAL.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

Najeh Edais, 3075 S. Ave. 4E, Yuma, AZ, thanked staff and was available for questions.

Hamel asked if the applicant would be extending the road.

Edais stated he had spoken with Engineering and had come to an agreement to extend the road.

PUBLIC COMMENT

None

MOTION

Motion by Dammeyer, second by Follmuth to APPROVE Case Number ZONE-28098-2019. Motion carried unanimously (4-0, with 1 absent).

ZONE-28275-2019: This is a request by Kerry A. Schimpf, on behalf of The Nelson Family Trust, 4/13/95 and Kerry & Gail Schimpf Trust, 11-19-03, and Kyle P. Nelson, to rezone approximately 14.9 acres from the General Commercial (B-2) District to the High Density Residential (R-3) District, while maintaining the existing Aesthetic Overlay (AO) District, for the properties located north of the intersection of E. 8th Street and S. Castle Dome Avenue, Yuma, AZ. (Continued from January 13, 2020.)

Alyssa Linville, Assistant Director of DCD/Zoning Administrator, summarized the staff report, recommending APPROVAL.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

Kerry Schimpf, 2295 Fletcher Parkway, #200, El Cajon, CA, gave a presentation on the proposed project.

Hamel expressed his satisfaction with seeing new construction and business in this portion of the City.

PUBLIC COMMENT

None

MOTION

Motion by Counts, second by Follmuth to APPROVE Case Number ZONE-28275-2019. Motion carried unanimously (4-0, with 1 absent).

INFORMATION ITEMS

Staff

Alyssa Linville, Assistant Director of DCD / Zoning Administrator, reminded the Commission their attendance is important due to the few Commissioners available.

Hamel said he was not available for the Planning and Zoning Meeting on February 10, 2020, and advised staff to make the necessary arrangements for the continuation.

Commission

None

Public

None

ADJOURNMENT

The meeting was adjourned at 5:30 p.m.

Minutes approved this	day of	, 2020	
		Chairman	

Planning and Zoning Commission Meeting Minutes February 24, 2020

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, February 24, 2020, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present included Chairman Hamel, and Commissioners Gregory Counts, Barbara Hengl, Lorraine Arney. Vice-Chairman Dammeyer was absent. There are two vacancies.

STAFF MEMBERS present included Kenneth McCoy, Assistant City Attorney; Agustin Cruz, Senior Civil Engineer; Alyssa Linville, Assistant Director DCD / Zoning Administrator; Robert Blevins, Principal Planner; Richard Munguia, Senior Planner; Jennifer Albers, Principal Planner; Cheri Skinner, Associate Planner; and Charysse Casillas, Administrative Assistant.

Chairman Hamel called the meeting to order at 4:30 p.m. and noted there was a quorum present.

ELECTION OF OFFICERS

Commissioner Counts nominated Chris Hamel as Chairman, second by **Commissioner Hengl**. **Motion carried unanimously (4-0) with Chris Hamel as Chairman**.

Commissioner Hamel nominated Fred Dammeyer as Vice-Chairman, second by **Commissioner Counts**. **Motion carried unanimously (4-0) with Fred Dammeyer as Vice-Chairman**.

CONSENT CALENDAR

MINUTES - January 27, 2020

WITHDRAWALS BY APPLICANT - None

CONTINUANCES - None

APPROVALS -

- 1. <u>SUBD-28737-2019</u>: This is a request by Vega and Vega Engineering, on behalf of Proxima Centauri Development, LLC, for approval of the final plat for the Autumn Valley Subdivision, proposed to be divided into 22 residential lots ranging in size from 6,000 square feet to 11,559 square feet. The property is located at the southeast corner of 16th Street and 44th Avenue, Yuma, AZ. (Continued from February 10, 2020.)
- 2. <u>ZONE-28855-2019</u>: This is a request by Land Development Consultants, LLC., on behalf of Circle K Stores, Inc., to rezone a 2.28-acre parcel from Agriculture (AG) to General Commercial (B-2), for the property located at 6544 E. 32nd Street. (Continued from February 10, 2020.)

Motion by Counts, second by Hengl, to APPROVE the Approvals section of the Consent Calendar. The minutes of January 27, 2020 were deferred to the next scheduled meeting. Motion carried unanimously (4-0, with 1 absent).

PUBLIC HEARINGS

<u>GP-28299-2019:</u> This is a General Plan Amendment request by Shelley Anderson on behalf of the Anderson E W & Elizabeth Trust 4/2/76, to change the land use designation from Low Density Residential to High Density Residential for approximately 1.54 acres, for the properties located between 8th Place, 9th Street, 14th Avenue and Arena Drive. (*Continued from February 10, 2020.*)

Jennifer Albers, Principal Planner, summarized the staff report.

QUESTIONS FOR STAFF

Hengl asked about the number of units or square footage of units to be constructed on the property. **Albers** said the applicant had intended to sell the property for future development with the maximum number of units being twenty-eight.

Arney inquired about the increased traffic in the area. **Albers** said the case was being presented for the General Plan Amendment which did not include a building design or site plan lay out. **Albers** continued to say the hearing was for density only and the local roads in the area already exceeded the City's minimum requirements.

APPLICANT / APPLICANT'S REPRESENTATIVE

Shelley Anderson, 1000 S. 5th Avenue, Yuma, AZ, was available for questions.

Hamel asked if the applicant was the property owner and if he would be the builder if the rezone was approved. **Anderson** advised he was not the owner and confirmed he would not be in charge of the construction.

PUBLIC COMMENT

Christie Staneart, 965 S. Teri Drive, Yuma, AZ, expressed her concerns about the potential for increased traffic and increased criminal activity. Staneart also commented on the lack of communication mailed to the residents whom do not primarily speak English, as they were not properly informed of the General Plan Amendment.

Jaime Hernandez, **1440 W. 9**th **Place**, **Yuma**, **AZ**, said his concern was related to increased traffic and preferred the construction of single family homes on the lots.

Mary Evitch, 1369 W. 9th Street, Yuma, AZ, voiced concerns about an increase in traffic flow causing more vehicular and or pedestrian accidents, and improper usage of traffic signals in the area.

Karina Hernandez, **1550 W. Vicky Lane**, **Yuma**, **AZ**, stated she did not receive notice of the rezone. She also questioned why single family homes were not proposed as the apartment complexes in the area had experienced issues retaining residents.

MOTION

Motion by Counts, second by Arney to CLOSE Case Number GP-28299-2019. Motion carried unanimously (4-0, with 1 absent).

<u>SUBD-28854-2019</u>: This is a request by Dahl, Robins & Associates, Inc., on behalf of Christopher George Merziotis Trust, for approval of the final plat for the Spirit Park Subdivision. This subdivision will contain approximately 19.31 acres, and is proposed to be divided into 13 industrial lots, ranging in size from 44,907 square feet to 116,023 square feet. The property is located at the southeast corner of Avenue 3E and the 38th Street alignment, Yuma, AZ. (*Continued from February 10, 2020.*)

Alyssa Linville, Assistant Director of DCD / Zoning Administrator, summarized the staff report, recommending APPROVAL.

QUESTIONS FOR STAFF

None

APPLICANT / APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

MOTION Motion by Counts, second by Hengl to APPROVE Case Number SUBD-28854-2019. Motion carried unanimously (4-0, with 1 absent).
CUP-28856-2019: This is a request by Katherine Nickle, on behalf of Javier and Maria Almeida, for a Conditional Use Permit to allow a skin care salon and construction office in the Light Industrial/Airport Overlay (L-I/AD) District. The property is located at 2580 S. 24th Street, Suite B and C, Yuma, AZ. (Continued from February 10, 2020.)
Cheri Skinner, Associate Planner, summarized the staff report, recommending APPROVAL.
QUESTIONS FOR STAFF None
APPLICANT / APPLICANT'S REPRESENTATIVE None
PUBLIC COMMENT None
MOTION Motion by Hengl, second by Arney to APPROVE Case Number CUP-28856-2019. Motion carried unanimously (4-0, with 1 absent).
INFORMATION ITEMS Staff Linville, commented there were two vacancies on the board that required to be filled.
<u>Commission</u> None

Public

None

ADJOURNMENT

The meeting was adjourned at 5	:04 p.m.	
Minutes approved this d	lay of	, 2020
	 Chairman	

Planning and Zoning Commission Meeting Minutes April 13, 2020

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday, March 23, 2020, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present Chairman Chris Hamel, and Commissioners Gregory Counts, Barbara Beam, Lorraine Arney, Fred Dammeyer, Joshua Scott, and Janice Edgar.

STAFF MEMBERS present included Kenneth McCoy, Assistant City Attorney; Randall Crist, Director of DCD, Alyssa Linville, Assistant Director DCD; and Charysse Casillas, Administrative Assistant.

Chairman Hamel called the meeting to order at 4:30 p.m. and noted there was a quorum present.

CONSENT CALENDAR

MINUTES - March 23, 2020

WITHDRAWALS BY APPLICANT - None

CONTINUANCES - None

APPROVALS -

1. <u>CUP-29400-2020:</u> This is a request by PM Design, on behalf of Hardknocks Limited Partnership, for a Conditional Use Permit to allow a drive-through for a restaurant in the General Commercial/Aesthetic Overlay (B-2/AO) District. The property is located approximately 300 feet east of the southeast corner of E. 16th Street and Sunridge Drive, Yuma, AZ.

Alyssa Linville, Assistant Director of DCD, summarized the staff report, recommending APPROVAL.

QUESTIONS FOR STAFF

Hamel stated he appreciated the new business growth regardless of the presented circumstances with Covid-19.

APPLICANT / APPLICANT'S REPRESENTATIVE

Not Required

PUBLIC COMMENT

Not Required

Motion by Counts, second by Arney, to APPROVE the Consent Calendar as presented. Motion carried unanimously (7-0).

PUBLIC HEARINGS – None

APPEAL HEARINGS -

1. <u>VAR-28966-2019:</u> This is an appeal of a previously denied variance, which was denied by the Hearing Officer on February 13, 2020. The Variance request was to reduce the rear yard setback from 10' to 6' 6", in the Low Density Residential (R-1-6) District, for the property located at 2784 S. 44th Trail, Yuma, AZ.

Alyssa Linville, Assistant Director of DCD, summarized the staff report.

QUESTIONS FOR STAFF

Hamel questioned if the patio was attached to the structure, and if the corner of the patio had a standard 10' setback. **Linville** stated that the proposed attached patio would typically be subject to rear yard setback of 10'.

APPELLANT

Bryan Hall, 3064 S. Ave. B, Yuma, AZ, stated he did not agree with the denial of the 10' set back on the patio and added there would be no immediate impact to any neighboring property. **Hall** added there were two dwelling blueprints for this lot, but both proposed the same setback issue.

Hamel asked if the rear property was enclosed with a block wall and if the proposed encroachment was for patio cover or the supporting post. **Hall** said the proposed setback was to edge of the patio cover and that the foundation of the patio would be approximately one foot less than the cover.

Dammeyer referred to the staff report and questioned who previously divided the parcel. **Linville** clarified the property was one large parcel and was subdivided by the Developer.

Hamel and **Edgar** agreed to there being no impact on the aesthetic of the property when viewed from the rear property line.

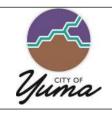
Dammeyer inquired if Hall agreed to the Conditions of Approval listed in Attachment A of the staff report. **Hall** stated he was in agreement.

PUBLIC COMMENT

Not required

Motion by Dammeyer, second by Edgar, to APPROVE the Case Number VAR-28966-2019. Motion carried unanimously (7-0).

INFORMATION ITEMS Staff	
Linville presented the Interim Director of Communi	ty Development, Randall Crist .
<u>Commission</u> None	
Public None	
ADJOURNMENT Hamel adjourned the meeting at 4:53 p.m.	
Minutes approved this day of	, 2020
	Chairman



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION DEPARTMENT OF COMMUNITY DEVELOPMENT COMMUNITY PLANNING DIVISION

CASE TYPE – PRELIMINARY SUBDIVISION
CASE PLANNER: BOB BLEVINS

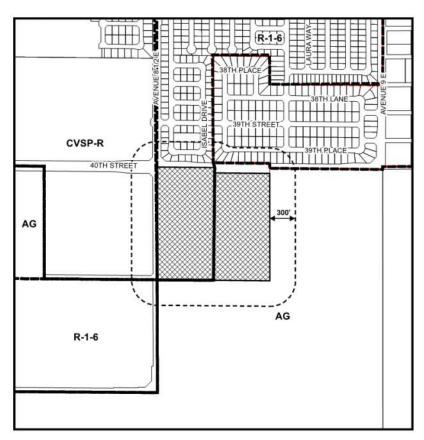
Hearing Date: April 27, 2020 Case Number: SUBD-29516-2020

Project Description/Location:

This is a request by Edais Engineering, Inc., on behalf of Riedel Construction Company, LLC, for approval of the preliminary plat for La Estancia Subdivision. This subdivision contains approximately 40 acres and is proposed to be divided into 179 residential lots, ranging in size from approximately 6,005 square feet to 12,785 square feet, for the property located at the southeast corner of S. Avenue 8 ½ E and E. 40th Street, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use			
Site	Low Density Residential (R-1-6)	Undeveloped	Low Density Residential			
North	County Manufactured Home	Single Family Homes	Suburban Density			
	Subdivision (MHS-10)	Single Family Homes	Residential			
South	Agriculture (AG)	Undeveloped	Low Density Residential			
East	Agriculture (AG)	Undeveloped	Low Density Residential			
West	Cielo Verde Specific Plan (CVSP-R)	Undeveloped	Low Density Residential			

Location Map



<u>Prior site actions</u>: Annexation: ANEX-24913-2019 (O2019-21); General Plan Amendment: GP-26140-2019 (R2019-039); Rural Density to Low Density); Rezone: ZONE-28098-2019 (AG to R-1-6).

Staff Recommendation: Staff recommends APPROVAL of the preliminary plat for La Estancia

Subdivision, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Preliminary Plat SUBD-29516-2020 as presented,

subject to the staff report, information provided during this hearing, and the

conditions in Attachment A.

Effect of the Approval: By approving the preliminary plat, the Planning and Zoning Commission is

acknowledging the street and lot layout of La Estancia Subdivision which includes 179 lots ranging in size from 6,005 square feet to 12,785 square feet for the property located at the southeast corner of S. Avenue 8 ½ E and E. 40th Street, Yuma, AZ, subject to the conditions of the rezoning and the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma Subdivision Code and General Plan

and is compatible with surrounding land uses.

<u>Staff Analysis:</u> La Estancia Subdivision is proposed for site-built single-family dwellings on lots 6,005 square feet or greater on vacant land, located at the southeast corner of S.

Avenue 8 ½ E and E. 40th Street.

Access will be via S. Avenue 8 $\frac{1}{2}$ E. The portion of E. 40^{th} Street from S. Avenue 8 $\frac{1}{2}$ E to the east end of La Estancia Subdivision will be developed along with the subdivision allowing additional access.

The east half of the subject property was annexed in 2019, and the west half in 2001. In recent years, the east half of the property has been subject to a general plan amendment, and a rezoning with the intention of development as one subdivision of 179 lots.

The following are some of the development standards required in the Low Density Residential (R-1-6) District:

- . The maximum lot coverage in the Low Density Residential (R-1-6) District shall not exceed 35% of the lot area;
- . A minimum front yard setback of 20 feet;
- . A minimum side yard setback of 7 feet;
- . A minimum rear yard setback of 10 feet;
- . A maximum building height of 40 feet; and
- . A requirement for each lot to provide 2 off-street parking spaces, appropriately located.

A Municipal Improvement District (MID) will be established for the maintenance of required subdivision landscaping. If developed in phases, the MID for each phase will need to be established prior to the issuance of any residential building permits.

1. Does the subdivision comply with the zoning code and the zoning district development standards?

Yes This preliminary plat meets R-1-6 development standards.

2. Does the subdivision comply with the subdivision code requirements?

3. Does the subdivision comply with the Transportation Element, plans and policies?

Transportation Element	Planned	Existing	Difference	Requested		
40th Street – Minor Arterial	50 FT H/W	0-62 FT H/W	50 FT to 12 FT	50 FT H/W		
Avenue 8 ½ E – 2 Lane Collector	40 FT H/W	40 FT H/W	0 FT	0 FT		

4. Is the subdivision the site of any public facility in the General Plan?

Public Comments Received None Received.

External Agency Comments: See Attachment D.

Neighborhood Meeting Comments: Meeting previously held on 07/10/19. No neighbors in

attendance.

Proposed conditions delivered to applicant on: March 31, 2020

Final staff report delivered to applicant on: April 15, 2020

Х	Applicant agreed with all of the conditions of approval on: April 1, 2020
	Applicant did not agree with the following conditions of approval: (list #'s)
	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

Α	В	С	D	E
Preliminary Plat	Preliminary Plat	Rezone	Aerial	Staff
Conditions	Map	Conditions	Photo	Research
of Approval	·			

Robert M. Blevins, Principal Planner

(928) 373-5189

Robert.Blevins@yumaaz.gov

Approved By:

Alyssa Linville.

Assistant Director Community Development

Date: 04/02/20

ATTACHMENT A PRELIMINARY PLAT CONDITIONS OF APPROVAL

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

Community Development Comments: Alyssa Linville, Assistant Director, Community Development, (928) 373-5000, x 3037:

- 1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
- 2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
- 3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

City Attorney Comments: (928) 373-5058:

- 4. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
- 5. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
 - a) pay to cross the easement to reach any structure on the lot;
 - b) prevent the utilities from providing service to any structure on a lot; or
 - c) effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
- 6. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:

7. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along Avenue 8 1/2E and E. 40th Street. Such fencing can be removed during the construction of pools, in order to access utility or drainage easements, or during other residential construction; however, such masonry fencing and adjacent landscaping will need to be replaced accordingly.

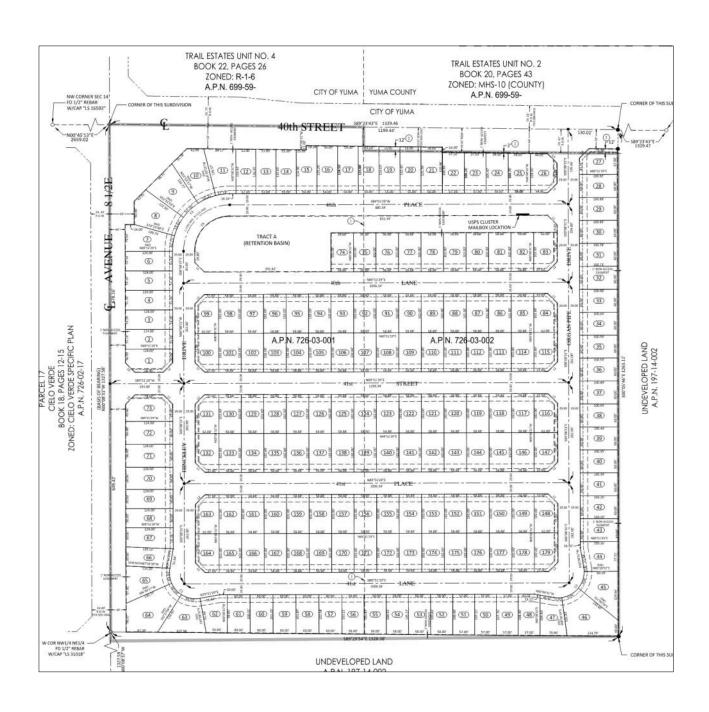
Community Planning Conditions: Robert M. Blevins, Principal Planner (928) 373-5189:

8. A time frame of build-out for the subdivision shall be submitted to the Yuma School District One, to enable the district to adequately plan for future school facilities.

- 9. The Owner/Developer shall be required to establish a Municipal Improvement District (MID) prior to the recordation of the final plat.
- 10. The Owner shall submit a final plat within one (1) year of Preliminary Plat approval. Should a Final Plat not be submitted within one (1) year of the effective date of approval of the Preliminary Plat, the approval of this Preliminary Plat shall be null and void, unless the conditions are contained in an executed Pre-development Agreement.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B PRELIMINARY PLAT MAP



ATTACHMENT C REZONE CONDITIONS

- 1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
- 2. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized "Waiver of Claims under the Private Property Rights Protection Act." The Waiver shall be submitted prior to the issuance of any building permit, Certificate of Occupancy, or City of Yuma Business License for this property.
- 3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.
- 4. Owner/Developer shall design and construct the south half of 40th Street per City of Yuma Construction Standard 2-015 at the time of development. 40th Street is transportation development fee eligible.
- 5. Owner/Developer shall dedicate (in fee title) the south half of 40th Street as a minor arterial street with 50 foot half width.
- 6. Each of the conditions listed above shall be completed within one (1) year of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

ATTACHMENT D AERIAL PHOTO





ATTACHMENT E STAFF RESEARCH



STAFF RESEARCH -PRELIMINARY PLAT

CASE #: SUBD-29516-2020 CASE PLANNER: BOB BLEVINS

I. PROJECT DATA

I. PROJECT	DATA												
Project Lo	cation:	SI	SEC of Avenue 8½E and 40 th Street.										
Parcel Nur	mber(s):		72	726-03-001 & 002									
Parcel Size	1,	,742,400 sq. ft.											
Total Acre	age:			40									
Proposed	Dwelling Units:			179									
Address:				Not yet assigned									
Applicant:				Riedel Construction Company, LLC									
Applicant's	Ţ			Edais Engineering, Inc.									
	Conformity Matrix:		C	onform	s:	Yes >		No					
Zoning Ov		AO		Auto		B&B		Historic		Infill		None X	
Airport	Noise Contours	65-70		70-7	5	75+		APZ1		APZ2		Clear Zone	
	Existing Zo	ning				Use(s)	on	-site	G	eneral	Plan	Designatio	n
Site	Low Density Reside	ential (F	₹-1-	-6)		Undev	elo	ped		Low De	ensity	Residential	
North	County Manufact Subdivision (M			9	Si	ngle Fan	nily	Homes	Su	burban	Den	sity Residen	tial
South	Agriculture	(AG)				Undev	elo	ped	Low Density Residential				
East	Agriculture	(AG)				Undeveloped			Low Density Residential				
West	Cielo Verde Specific I	Plan (C	:VSI	P-R)		Undeveloped			Low Density Residential				
Prior Cas	es or Related Actions:												
Type		<u>C</u>	Conf	nforms Cases, Actions or Agreements									
Pre-Anne	xation Agreement	Yes		No		N/A							
Annexation	on	Yes	Х	No		ANEX-2	49´	13-2019 (C)201	9-21)			
General F	Plan Amendment	Yes	Х	No		GP-2614 Density)	10-	2019 (R20	19-0	39; Rur	ral De	ensity to Low	/
Developn	nent Agreement	Yes		No		N/A							
Rezone		Yes	Х	No		ZONE-2	809	98-2019 (<i>A</i>	\G to	R-1-6))		
Subdivision	on	Yes		No		N/A		,					
Condition	al Use Permit	Yes		No		N/A							
Pre-Deve	lopment Meeting	Yes	Х	No		PDM-24	649	9-2019 (01	/18/	2019)			
Design R	eview Commission	Yes		No		N/A		•		•			
Enforcem	ent Actions	Yes		No		N/A							
Avigation	Easement Recorded	Yes	Х	No		Fee# 20	20-	-01928					
Land Divi	sion Status:			Parce	ls a	e legal lo	ots	of record.					
Irrigation	District:			N/A		_							
	ent Irrigation Canals & D	rains:		None									
Water	Conversion: (5.83 ac ft/	acre)		N/A									
Water	Conversion Agreement	Requir	ed	Yes		No X							

II. ZONING CODE AND DISTRICT DEVELOPMENT STANDARDS

Standard	<u>Subdivision</u>										<u>Conforms</u>			
Lot Size	Minimu	m:	6,005.	SF	SF M		aximum:	12,785.13 SF		Yes	Χ	No		
Lot Depth	Minimu	m:	90.1 FT		Maximum:		ղ:	135.66 FT			Yes	Χ	No	
Lot Width/Frontage	Minimu	m:	50 FT Max		Max	kimun	n: 79.16 F		79.16 FT		Yes	Х	No	
Setbacks	Front:	20) FT Real		ear:	10 F	10 FT		Side:	7 FT	Yes	Х	No	
District Size	40		Acres								Yes	Х	No	
Density	4.47		Dwelling units per acre							Yes	Χ	No		
Issues: None														

III. SUBDIVISION CODE DEVELOPMENT STANDARDS

SUBDIVISION CODE DEVELOPMENT STANDARDS											
Requirements			Confor	ms							
General Principles	Yes	Х	No		N/A						
Streets			Confor	ms							
Circulation	Yes	Χ	No		N/A						
Arterial Streets	Yes	Χ	No		N/A						
Existing Streets	Yes	X	No		N/A						
Cul-de-sacs	Yes		No		N/A	Χ					
Half Streets	Yes		No		N/A	Χ					
Stub Streets	Yes		No		N/A	Χ					
Intersections	Yes	Χ	No		N/A						
Easements	Yes	Х	No		N/A						
Dimensional Standards	Yes	Χ	No		N/A						
Issues: None											
Blocks <u>Conforms</u>											

В	locks	<u>Conforms</u>							
	Length	Yes	X	No		N/A]	
	Irregular Shape	Yes		No		N/A	Х	1	
	Orientation to Arterials	Yes	Х	No		N/A		1	
	Business or Industrial	Yes		No		N/A	X	1	
	Issues: None				•				

Conforms Lots Minimum Width Yes Χ No N/A Length and Width Ratio Yes Χ No N/A Fronting on Arterials Yes No N/A Χ **Double Frontage** Yes No N/A Side Lot Lines Yes Χ No N/A Corner Lots Yes Χ No N/A **Building Sites** Χ Yes No N/A Street Frontage Yes Χ No N/A

IV. CITY OF YUMA GENERAL PLAN

Issues: None

I	Land Use Element	:									
	Land Use Designa	ation:		Low De	ensity I	Resid	lentia	l			
	Issues:			None							
	Historic District:	Brinley Avenue	е	Cen	tury H	eights	3		Main Street	None	Χ
	Historic Buildings	on Site:	Yes		No	Х					

Transportation Element:

FACILITY PLANS

Т	RANSPORTATION MASTER PLAN	Planned	Existing	Gateway	Scenic	Hazard	Truck
	40th Street – Minor Arterial	50 FT H/W	62 FT H/W				Χ
	Avenue 8 ½ E – 2 Lane Collector	40 FT H/W	40 FT H/W				

Bicycle Facilities M		Plan		40 th S	treet	Pro	pose	ed Bik	e La	ane						
YCAT Transit Syste	em			None												
Issues:				None												
Parks, Recreation a			•	e Elen	nent	:										
Parks and Recreati																
Neighborhood Pa		_		: Sagu								aguaro F				
Community Park	:			: Kenn						Futur	e: Aq	qua Viva	Park			
Linear Park:		Ex	isting	: East	Main	Car	nal Lir	near Pa	ark	Futur	e: Gi	la Gravi	ty Main (Cana	ıl Linear	Pa
Issues:		No	one													
lousing Element:																
Special Need Hous	ehold:			V/A												
Issues:				Vone												
Redevelopment Ele																
Planned Redevelop				N/A												
Adopted Redevelor	oment	Plan		North	End:	_		Car		Park:		No	ne: X			
Conforms:				Yes			No		N/	<u>'</u> A						
Conservation, Ener	gy & E	invi	ronm	ental	Elen	nen	t:									
Impact on Air or Wa	ater Re	esou	rces	,	Yes			No	X							
Renewable Energy	Sourc	е		,	Yes			No	X							
Issues:																
Public Services Ele																
Population Impacts	<u> </u>	7	Dwe	llings	& T	ype	Pro	ojecte	ed	Police		Wa	ter	Wa	stewa	ter
Population Impacts Population projection per 2 American Community Su	2013-201	7		llings				ojecte oulati		Police Impac		Wa ⁻ Consun		_	istewa nerati	
Population Impacts Population projection per 2 American Community St Police Impact Standard:	2013-201 urvey	7	Sir		ami	ly	Por	-	on		t C			_		
Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption:	2013-201 urvey tizens;	7	<i>Sir</i> Prop	ngle F	ami Per	ly	Por	-	on	Impac	t (Consun	nption	Ge	nerati	on
Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per	2013-201 urvey tizens;	7	<i>Sir</i> Prop	ngle F	ami Per	<i>ly</i> Uni	Por	oulati	on	Impac Officer	t (Consun GPD	nption AF	Ge	nerati GPD	on
Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption:	2013-201 urvey tizens; person;	7	<i>Sir</i> Prop	ngle F	ami Per	<i>ly</i> Uni	Por	oulati	on	Impac Officer	t (Consun GPD	nption AF	Ge	nerati GPD	on
Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation:	2013-201 urvey tizens; person;	-	Prop	ngle F	Per 2	<i>ly</i> Uni	Por	oulati	on	Officer 0.95	t (Consun GPD	AF 168.4	Ge	nerati GPD	on
Population Impacts Population projection per 2 American Community St Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per	tizens; person; person	-	Prop	ngle F oosed 79	Per 2	/y Uni	Por	501	on	Officer 0.95	t Crs 15	GPD 50,360	AF 168.4	Ge	nerati GPD 50,120	on
Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per Fire Facilities Plan:	2013-201 urvey tizens; person; person Exis	sting:	Prop	ngle Foosed 79 Station	Per 2 No.	Uni	Por	501	Co	Officer 0.95	t Crs 15	GPD 50,360 re Static 30" F	nption AF 168.4 on No. 7 PVC Linection:	Ge e on	nerati GPD 50,120	tree
Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per Fire Facilities Plan: Water Facility Plan: Sewer Facility Plan	tizens; person; person Exis : Sou	sting: urce:	Prop	ngle F posed 79	Per 2 No.	Uni	Por	501	Co	Officer 0.95	t Crs 15	GPD 50,360 re Static 30" F	nption AF 168.4 on No. 7	Ge e on	nerati GPD 50,120	tree
Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per Fire Facilities Plan: Water Facility Plan: Sewer Facility Plan Issues:	2013-201 urvey tizens; person; person Exis	sting: urce:	Prop	ngle Foosed 79 Station	Per 2 No.	Uni	Por	501	Co	Officer 0.95	t Crs 15	GPD 50,360 re Static 30" F	nption AF 168.4 on No. 7 PVC Linection:	Ge e on	nerati GPD 50,120	tree
Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per Fire Facilities Plan: Water Facility Plan: Sewer Facility Plan Issues: Safety Element:	tizens; person; Exis : Sou	sting: urce: atme	Prop 1	ngle Foosed 79 Station	Per 2 No.	Unit 2.8	Por	501	Co Pr	Officer 0.95 Futur onnection	t Crs 15	GPD 50,360 re Static 30" F	nption AF 168.4 on No. 7 PVC Linnection: Street	Ge e on	nerati GPD 50,120 40 th Si PVC L	on
Population Impacts Population projection per 2 American Community St. Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per Fire Facilities Plan: Water Facility Plan: Sewer Facility Plan: Issues: Safety Element: Flood Plain Designat	tizens; person; Exis : Sou	sting: urce: atme	Prop 1: Fire Sent:	ngle Foosed 79 Station	Per 2 No.	Unit 2.8	Por	501	Co Pr	Officer 0.95	t Crs 15	GPD 50,360 re Static 30" F	nption AF 168.4 on No. 7 PVC Linection:	Ge e on	nerati GPD 50,120	tree
Population Impacts Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per Fire Facilities Plan: Water Facility Plan: Sewer Facility Plan Issues: Safety Element: Flood Plain Designatessues:	tizens; person Exis : Sou	sting: urce: atme	Prop 1	ngle Foosed 79 Station	Per 2 No.	Unit 2.8	Por	501	Co Pr	Officer 0.95 Futur onnection	t Crs 15	GPD 50,360 re Static 30" F	nption AF 168.4 on No. 7 PVC Linnection: Street	Ge e on	nerati GPD 50,120 40 th Si PVC L	on
Population Impacts Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per Fire Facilities Plan: Water Facility Plan: Sewer Facility Plan: Issues: Safety Element: Flood Plain Designates Sues: Growth Area Eleme	tizens; person Exis : Sou	sting: urce: atme	Prop 1: Fire Sent:	ngle Foosed 79 Station	Per 2 No.	Unit 2.8	Por	501	Co Pr	Officer 0.95 Futur onnection	t Crs 15	GPD 50,360 re Static 30" F	nption AF 168.4 on No. 7 PVC Linnection: Street	Ge e on	nerati GPD 50,120 40 th Si PVC L	on
Population Impacts Population projection per 2 American Community St. Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per Fire Facilities Plan: Water Facility Plan: Sewer Facility Plan: Issues: Flood Plain Designates Sues: Growth Area Eleme Growth	tizens; person Exis Sou Nor	atme Zo	Prop 1: Fire Sent:	ngle Foosed 79 Station	Per 2 No. X	United See	Poritivate	501	Ca Pr	Officer 0.95 Futur onnection ivate ard Are	t Crs 15	GPD 50,360 re Static 30" F Conr 40th S	nption AF 168.4 on No. 7 PVC Linnection: Street	e on 24"	nerati GPD 50,120 40 th S ^o PVC L	on
Population Impacts Population Impacts Population projection per 2 American Community Su Police Impact Standard: 1 officer for every 530 cit Water Consumption: 300 gallons per day per Wastewater generation: 100 gallons per day per Fire Facilities Plan: Water Facility Plan: Sewer Facility Plan: Issues: Safety Element: Flood Plain Designates Sues: Browth Area Eleme	tizens; person Exis Sou Nor	atmone Zo No	Prop 1: Fire Sent:	ngle Foosed 79 Station	No. X	Univ.8 5 Pr Se	Poritivate	501 ction I	Cc Pr	Officer 0.95 Futur onnection ivate ard Are	t Crs 15	GPD 50,360 re Static 30" F Conr 40th S	nption AF 168.4 on No. 7 PVC Lin nection: Street Yes	e on 24"	nerati GPD 50,120 40 th S ^o PVC L	on

NOTIFICATION

 $\textbf{Legal Ad Published: The Sun} \quad 04/03/20$

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300' Vicinity Mailing: 03/09/20
34 Commenting/Reviewing Agencies noticed: 03/12/20

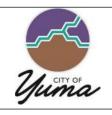
○ **Hearing Date:** 04/27/20 **Comments Due:** 03/23/20

External List (Comments)	Response	Date	"No	Written	Comments
	Received	Received	Comment"	Comments	Attached
Yuma County Airport Authority	YES	03/16/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	03/13/20	X		
Yuma County Planning & Zoning	YES	03/14/20	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	03/12/20	Х		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	03/12/20	Х		
City of Yuma Internal List	Response	Date	"No	Written	Comments
(Conditions)	Received	Received	Conditions"	Conditions	Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	YES	03/16/20	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Franklin, Fire	YES	03/17/20	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	03/24/20		X	
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				

Neighborhood Meeting	Comments Available
Previously held on 07/10/19	No one in attendance.
Prop. 207 Waiver	
Received by Owner's signature on the application	for this land use action request.

WRITTEN CONDITION RECEIVED:

○ Condition(s)		No Con	dition(s)		☐ Comment
located within the or recognizes the nois Marine Corps Air S	overflight pattern and se, interference or vil Station Yuma/Yuma I y of the recorded eas	as such it orations di nternation	is requested that an ue to aviation operation	avigation e ons that ma mplex and i	1 / 002. The parcels are asement be recorded that y occur at the nearby its associated flight paths. Thank you for the
DATE:	24 Mar 2020	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
CITY DEPT: PHONE:	MCAS Yuma 928-269-2103		a. Manty		Specialist



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION DEPARTMENT OF COMMUNITY DEVELOPMENT COMMUNITY PLANNING DIVISION

CASE TYPE - PRELIMINARY SUBDIVISION
CASE PLANNER: RICHARD MUNGUIA

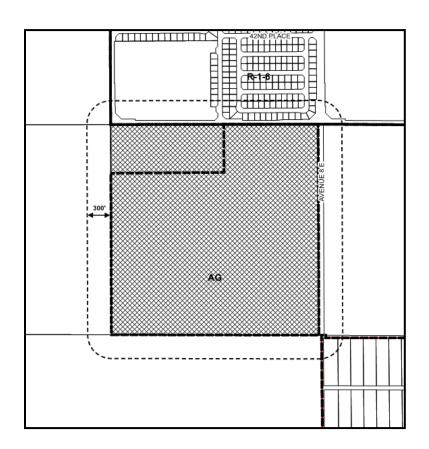
Hearing Date: April 27, 2020 <u>Case Number</u>: SUBD-29644-2020

Project Description/Location:

This is a request by Dahl, Robins, and Associates, Inc., on behalf of Yucca Land Company, LLC, for approval of the preliminary plat for the Desert Sands Subdivision Unit 2, proposed to be divided into 97 residential lots ranging in size from 5,095 square feet to 14,138 square feet. The property is located at the southwest corner of E. 44th Street and S. Avenue 7 ½ E, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
Site	Medium Density Single-Family Residential (R-2-5)	Future Single-Family Subdivision	Mixed Use
North	Low Density Residential (R-1-6)	Future Single-Family Subdivision	Low Density Residential
South	Agriculture (AG)	Undeveloped	Rural Density Residential
East	Agriculture (AG)	Undeveloped	Low Density Residential
West	Agriculture (AG)	Undeveloped	Low Density Residential/Commercial

Location Map



<u>Prior site actions</u>: Annexation: O97-81 (January 2, 1998); General Plan Amendment: Res. R2004-89 (December 13, 2014 – Suburban Density Residential to Low Density Residential/Commercial), GP-25035-2019 (July 17, 2019 – Low Density Residential to Mixed Use); Rezone: Ordinance 2020-002 (February 5, 2020 – AG to R-2/R-2-5)

<u>Staff Recommendation:</u> Staff recommends **APPROVAL** of the preliminary plat for the Desert Sands

Subdivision Unit 2, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Preliminary Plat SUBD-29644-2020 as presented,

subject to the staff report, information provided during this hearing, and the

conditions in Attachment A.

Effect of the Approval: By approving the preliminary plat, the Planning and Zoning Commission is

acknowledging the street and lot layout of Desert Sands Subdivision, Unit 2 which includes 97 lots ranging in size from 5,095 square feet to 14,138 square feet for the property located at the southwest corner of E. 44th Street and S. Avenue 7 1/2 E, subject to the conditions of the rezoning and the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma Subdivision Code and General Plan

and is compatible with surrounding land uses.

Staff Analysis: The subject property was annexed into the City of Yuma on January 2, 1998 and rezoned to the Medium Density Single-Family Residential (R-2-5) District in 2020. The subject property is currently undeveloped and is intended to be the second phase of

the Desert Sands Subdivision.

The subject property consists of approximately 160 acres, with 20.9527 acres currently being subdivided for the Desert Sands Subdivision, Unit No. 2. This subdivision will be developed with frontage along Avenue 7½ E and 44th Street. The applicant is proposing to develop the area with 97 single-family dwellings which will meet the land use density requirements of 5-12.9 dwelling units per acre. The lot sizes will range from 5,095 square feet to 14,138 square feet which meets the minimum lot size requirements for the Medium Density Single-Family Residential (R-2-5) District. As discussed in further detail in §154-07.02, the following are some of the main development standards required of development within the Medium Density Single-Family Residential (R-2-5) District:

- 1. The maximum density in the Medium Density Single-Family Residential (R-2-5) District shall be one unit per 5,000 square feet of land (meeting the density as identified in the General Plan);
- 2. The maximum lot coverage in the Medium Density Single-Family Residential (R-2-5) District shall be 45% of the lot area;
- 3. A minimum front yard setback of fifteen feet, with a range of staggered front yard setbacks between 15 and 20 feet, with a maximum of 50% of the lots at 15 feet:
- 4. The minimum side yard setbacks shall be five feet on once side; and nine feet on the other side;
- 5. A minimum rear yard setback of ten feet, except for a detached garage;
- 6. A minimum street side yard setback of ten feet;
- 7. The side and rear yards shall have six foot solid block walls on the property lines; and
- 8. Each lot in the Medium Density Single-Family Residential (R-2-5) District shall have a minimum of one 15-gallon street tree and accompanying underground irrigation system

1. Does the subdivision comply with the zoning code and the zoning district development standards?

Yes The Preliminary Plat meets dimensional standards and development standards for the Medium Density Single-Family Residential (R-2-5) District.

2. Does the subdivision comply with the subdivision code requirements?

Yes The Preliminary Plat will comply with the criteria set forth in the City of Yuma Subdivision Code.

3. Does the subdivision comply with the Transportation Element, plans and policies?

Yes All proposed roadways will be built to City Standards.

4. Is the subdivision the site of any public facility in the General Plan?

No There are no planned public facilities for this area at this time.

Public Comments Received: None Received.

External Agency Comments: None Received.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: March 26, 2020

Final staff report delivered to applicant on: April 15, 2020

Ap	olicar	nt a	agreed	with all	of	the	СО	ndit	ions	of a	approval	on:	(ente	r c	lat	e)	
							-					-			/		

Applicant did not agree with the following conditions of approval: (list #'s)

X If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact. E-mailed applicant, awaiting response.

Attachments

-					
	Α	В	С	D	E
	Preliminary Plat Conditions	Preliminary Plat Map	Rezone Conditions	Aerial Photo	Staff Research
	of Approval	'			

Prepared By: Richard Munguia Date: 4/14/2020

Senior Planner Richard Mu

Rock

Richard.Munguia@YumaAZ.gov (928)373-5000, x3070

Approved By Leyona forice

Alyssa Linville,

Assistant Director Community Development

Date: 04/14/2020

ATTACHMENT A PRELIMINARY PLAT CONDITIONS OF APPROVAL

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

Community Development Comments: Alyssa Linville, Assistant Director, Community Development, (928) 373-5000, x 3037:

- 1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
- 2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
- 3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Range Disclosure Statement and Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

City Attorney Comments: (928) 373-5058:

- 4. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
- 5. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
 - a. pay to cross the easement to reach any structure on the lot;
 - b. prevent the utilities from providing service to any structure on a lot; or
 - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
- 6. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:

7. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along 44th Street and Avenue 7½ E. Such fencing can be removed during the construction of pools, in order to access utility or drainage easements, or during other residential construction; however, such masonry fencing and adjacent landscaping will need to be replaced accordingly.

Fire Department Comments: Kayla Franklin, Fire Marshal (928)373-4865:

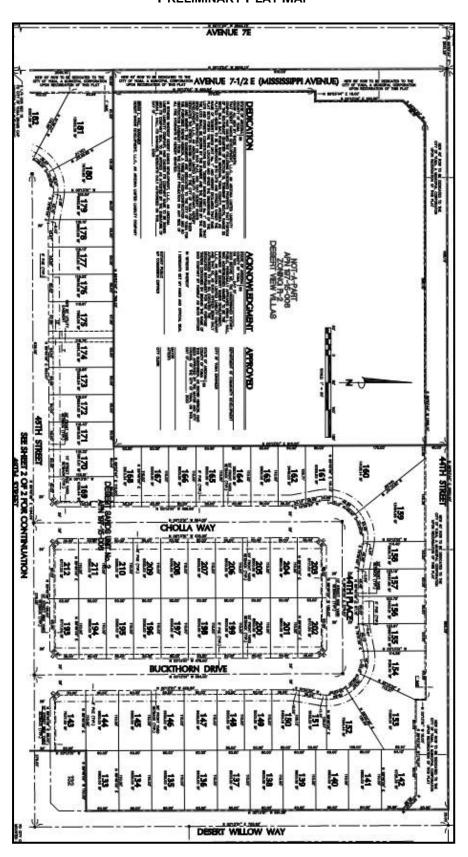
8. Desert Willow Way must be paved.

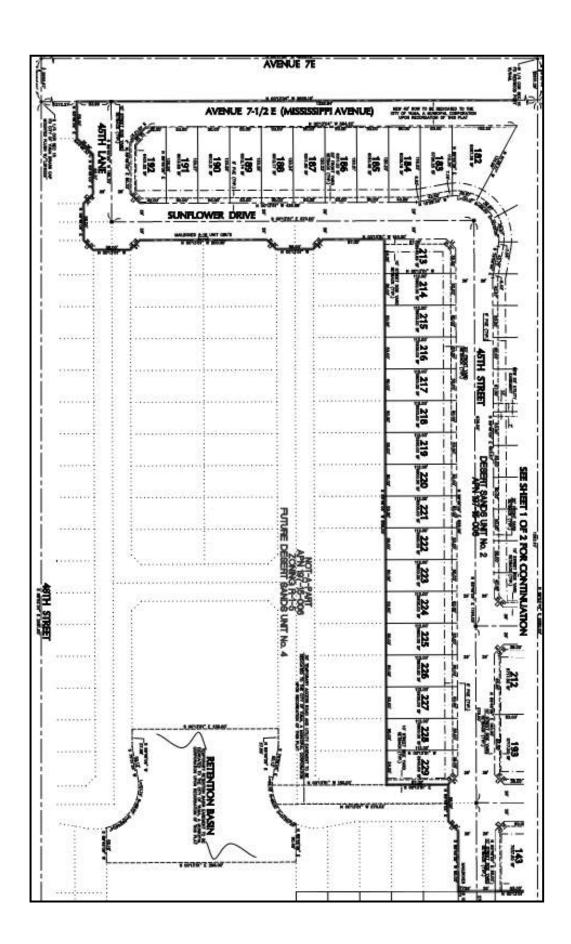
Community Planning Conditions: Richard Munguia, Senior Planner, (928) 373-5000, x3070

9. The Owner shall submit a final plat within one (1) year of Preliminary Plat approval. Should a Final Plat not be submitted within one (1) year of the effective date of approval of the Preliminary Plat, the approval of this Preliminary Plat shall be null and void, unless the conditions are contained in an executed Pre-development Agreement.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B PRELIMINARY PLAT MAP





ATTACHMENT C REZONE CONDITIONS

ATTACHMENT A CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department of Community Development Comments: Laurie Lineberry, Community Development Director (928) 373-5175:

- The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable
 to this action.
- The Owner shall submit to the City of Yuma, for recordation, a signed and notarized "Waiver of Claims under the Private Property Rights Protection Act." The Waiver shall be submitted prior to the issuance of any building permit, Certificate of Occupancy, or City of Yuma Business License for this property.
- The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement and Range Disclosure Statement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Engineering Conditions: Agustin Cruz, Senior Civil Engineer, (928) 373-5182:

- 4. Owner/developer shall dedicate to the City of Yuma, via plat, the required right-of-way to obtain a nominal 40 feet half-width right-of-way along Avenue 7 ½ E, Avenue 8E, and 44th St, as required for collector streets as called out in the City of Yuma Transportation Master Plan and in the City of Yuma Construction Standards.
- Owner/developer shall dedicate to the City of Yuma, via plat, the required right-of-way to obtain a nominal 50 feet half-width right-of-way along 48th Street, as required for a minor arterial street as called out in the City of Yuma Transportation Master Plan and in the City of Yuma Construction Standards.
- Owner/developer shall dedicate to the City of Yuma, via plat, all required corner visibility triangles in all
 major and local street intersections as specified in City of Yuma Construction Standard 3-005 (dimensions
 of corner triangle vary depending on type of intersection).
- Owner/developer shall dedicate to the City of Yuma, via plat, a one-foot non-access easement to the City
 of Yuma along all collector and minor arterial street frontages and along all corner triangles as specified
 in City of Yuma Construction Standard 3-005.
- Owner/developer shall dedicate to the City of Yuma, via plat, additional right-of-way for turn lanes as required for collector streets and minor arterial streets as specified in City of Yuma Construction Standard 2-050.
- Owner/developer shall design and construct bicycle lanes on the collector and arterial streets within the development, similar to City of Yuma Construction Standard 2-020, with signage consistent with the latest edition of the Manual of Uniform Traffic Control Devices (MUTCD).
- Per ADOT Southwest District, owner/develop shall perform a Traffic Impact Analysis (TIA) assessing the
 potential impacts on the intersection of State Route 195 and County 14th Street from the proposed new
 development. In addition, direct access to SR 195 from the development will not be permitted.

Community Planning, Richard Munguia, Senior Planner, (928) 373-5000 x3070

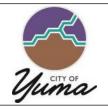
11. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT D AERIAL PHOTO



ATTACHMENT E STAFF RESEARCH



STAFF RESEARCH - PRELIMINARY PLAT

CASE #: SUBD-29644-2020 CASE PLANNER: RICHARD MUNGUIA

I. PROJECT	DATA												
Project Lo	ocation:		L	ocated	l at th	e southw	est	corner c	of E.	44 th Stre	et a	nd S. Avenu	ле 7
- TOJECI LI			<u> </u>	<u>Έ</u> Ε									
Parcel Nu	umber(s):			97-15-									
Parcel Siz	ze(s):		9	12,700) squa	are feet							
Total Acr	eage:		2	20.952	7 ac								
	Dwelling Units:			97									
Address:				I/A									
Applicant			_			Company							
Applicant	<u> </u>					& Assoc			1				
	Conformity Matrix:		10	Conforn		Yes X	. 1	No					
Zoning O		AO	<u> </u>	Auto		B&B		Histori	С	Infill		None	
Airport	X Noise Contou	ırs 65-70)	70-	75	75+		APZ1		APZ2		Clear Zone	
	Existing	Zoning				Use(s) o	n-si	ite	G	eneral F	Plan	Designation	on_
Site	Medium Densit Residenti		ami	ly	Fu	ture Sing Subdiv				M	lixed	d Use	
Nowth		,	- 1	6)	Fu	ture Sing				Law Day	a a i ta	Docidontio	
North	Low Density Re	sidentiai (i	≺-1-	·b)		Subdiv				Low Dei	ารแง	Residentia	l
South	Agricultu	ıre (AG)				Undeve	lope	ed		Rural De	nsit	y Residentia	al
East	Agricultu	ıre (AG)				Undeve	lope	ed		Low Dei	nsity	Residentia	I
West	Agricultu	ıra (AG)				Undeve	lone	vd				ensity	
		. ,				Officeve	ОРС			Resider	tial/	Commercial	<u> </u>
	es or Related Action			<u> </u>									
<u>Type</u>	(° A (iont	orms		Cases, Ad	ctior	is or Ag	reem	<u>ients</u>			
	exation Agreement	Yes		No		N/A	0.4	<i>,</i> ,		1000)			
Annexation	on	Yes		No		Ord. 097-				,	4.4.7	2 1 1	
						Res. R20 Density R						Suburban	
General F	Plan Amendment	Yes		No								019 (July 17	7
						2019, Lov			,			` •	
Developn	nent Agreement	Yes		No		N/A		y - •				/	
Rezone	J	Yes		No			202	20-002 (I	Febru	uary 5, 20	20.	AG to R-2/R	-2-5)
Subdivisi	on	Yes		No		N/A				<u>, , </u>	,		
	ial Use Permit	Yes		No		N/A							
	elopment Meeting	Yes		No		Novembe	r 13	, 2018					
	eview Commission	Yes		No		1/A		<i>,</i> - -					
	nent Actions	Yes		No		1/A							
	Easement Recorded		Х	No)19-	12990					
	ision Status:	1.55				record							
Irrigation				N/A	31								
	ent Irrigation Canals &	& Drains		N/A									
	Conversion: (5.83 ac			-	15 Ac	re Feet a	a Ye	ar					
14/ /	2 2.2.3 (0.00 ac	15.07			1 1		.		L				

No

Х

Water Conversion Agreement Required | Yes

II. ZONING CODE AND DISTRICT DEVELOPMENT STANDARDS

Standard				Subd	ivision				Cc	nform	<u>ıs</u>
Lot Size	Minimum	າ: 5	095 sq f	t	Max	imum:	14,138 sq ft	Yes	X	No	
Lot Depth	Minimum	1: 9	95'		Max	imum:	164.58'	Yes	Х	No	
Lot Width/Frontage	Minimum	1: 5	50'		Max	imum:	67'	Yes	Х	No	
Setbacks	Front:	20'	Rear:	10'	Side:	5' one	side & 9' on	Yes	Х	No	
						the otl	her side				
District Size	20.95	A	cres					Yes	Х	No	
Density	5-12.9	D	welling u	nits pe	er acre			Yes	Х	No	
Issues:											

III. S

SUBDIVIS	SION CODE DEVELOP	MENT S	STANE	DARDS				
Require	<u>ements</u>			Confor	ms_			
Genera	al Principles	Yes	Х	No		N/A		
Streets		<u>Conforms</u>						
Circu	ulation	Yes	Χ	No		N/A		
Arter	rial Streets	Yes	Χ	No		N/A		
Exist	ting Streets	Yes		No		N/A	Χ	
Cul-c	de-sacs	Yes		No		N/A	Χ	
Half	Streets	Yes		No		N/A	Χ	
Stub	Streets	Yes	Χ	No		N/A		
Inter	sections	Yes	Χ	No		N/A		
Ease	ements	Yes	Χ	No		N/A		
Dime	ensional Standards	Yes	Χ	No		N/A		
Issue	es:							
Blocks				Confor	ms_			
Leng	gth	Yes	Χ	No		N/A		
Irreg	jular Shape	Yes		No		N/A	X	
Orier	ntation to Arterials	Yes		No		N/A	X	
Busii	ness or Industrial	Yes		No		N/A	Х	
Issue	es:							
Lots				Confo	<u>rms</u>			
Minir	mum Width	Yes	Χ	No		N/A		
Leng	gth and Width Ratio	Yes	Χ	No		N/A		
Fron	iting on Arterials	Yes		No		N/A	X	
Doub	ble Frontage	Yes		No		N/A	X	
Side	Lot Lines	Yes	Χ	No		N/A		

L	ots	Conforms						
	Minimum Width	Yes	Χ	No		N/A		
	Length and Width Ratio	Yes	Χ	No		N/A		
	Fronting on Arterials	Yes		No		N/A	Х	
	Double Frontage	Yes		No		N/A	Х	
	Side Lot Lines	Yes	Χ	No		N/A		
	Corner Lots	Yes	Χ	No		N/A		
	Building Sites	Yes	Χ	No		N/A		
	Street Frontage	Yes	Χ	No		N/A		
	Issues:				-			

IV. CITY OF YUMA GENERAL PLAN

I	Land Use Element:											
	Land Use Designation:			Mixed Use								
	Issues:				None							
	Historic District:	Brinley Avenue	•		Cen	entury Heights		s	Main Street		None	X
	Historic Buildings on Site:		s		No	Χ						
Transportation Element:												

ļ	FACILITY I	PLANS															
Ī	TRANSPO	RTATION MASTER	R PLAN	Pla	nned		Exi	sting		Gatewa	ıy	Scei	nic	Haz	ard	T	ruck
	E. 44 th	Street – Local S	Street	I	T H/W OW			ΓH/W OW									
	E. 48 th	Street – 2-Lan	Э	_	T H/W		-	ΓH/W									
		Arterial			OW			OW									
		enue 7 ½ E – Lo	cal	l	T H/W			ΓH/W									
	Street	enue 8E – 2-Lan			OW T H/W			OW T H/W	,								
	Collec		5	l	OW			OW									
		acilities Master F	Plan			–– et ai			uе	e 8E: Prop		ed Bik	e I an	es			
_		ansit System	1011	N/A		J. G.		7 17 011		, o <u> </u>		<i>,</i> , , , , , , , , , , , , , , , , , ,	<u> </u>				
	Issues:	andit Cyclem		None													
_		reation and Op	en Spac														
		Recreation Fac															
		orhood Park:		g: Sagu	aro Pa	rk				Future:	Sag	uaro P	ark				
	Commi	unity Park:	Existin	g: None	;					Future:	Non	е					
	Linear	Park:	Existin	g: None	;					Future:	A Ca	anal Li	near F	Park			
	lssues:		Minima	l acces	s to ne	arby	/ facili	ties.									
Н	ousing E	lement:	•														
,	Special N	eed Household:		N/A													
	lssues:			None													
R	edevelop	ment Element:															
	Planned F	Redevelopment /	Area:	None													
1	Adopted I	Redevelopment l	Plan:	North	End:			Carve	er l	Park:		No	ne:	Χ			
(Conforms	:		Yes		N	10		N	/A							
C	onservat	ion, Energy & E	nvironr	nental	Elem	ent:											
	Impact or	Air or Water Re	sources	;	Yes		1	No	Χ								
	Renewab	le Energy Sourc	е		Yes		1	No	Χ								
	lssues:	None															
P	ublic Ser	vices Element:			_							_					
		n Impacts	Dw	ellings	& Ty	pe	Proj	ected	ł	Police		Wat	ter	W	/aste	wat	er
		ojection per 2013-201 Community Survey	5	ingle F	amily	,	Popu	ulatio	n	Impact	Co	nsun	nptio	n G	ienei	ratic	n
ı	Police Impac	t Standard: every 530 citizens;	Pro	posed	Per l	Jnit			T	Officers	G	PD	AF		GF	D.	
١	Water Consu	mption:		97	2.8	3	2	272		0.51	81	,480	91.3	3	27,	160	
١	300 gallons پ Wastewater	per day per person; generation:							1								_
		per day per person							L								
-			kisting: F							Future:				o. 7			
Water Facility Plan: Source: City X Private Connection								n	12" F								
_			eatment				eptic			Private			ectio				
	Issues:		er and s elopmer		ines w	ill n	eed t	o be e	ext	ended to	pro	vide s	ervice	s fo	r the	futur	e
	afety Ele																
		Designation:	Flood	Zone X	. L	_iqu	efact	ion Ha	aza	ard Area:			Yes		N	0	Х
_	sues:	FI.															
		ea Element:		T													
	rowth rea:	Araby Rd & Int					a Av	e & 16	3 th	St		Avenu			nd St.		
		North End	Pacif	acific Ave & 8 th St Estancia None X													
ls	sues:	None															

NOTIFICATION

 $\circ \quad \textbf{Legal Ad Published: The Sun} \quad 04/03/20$

o **300' Vicinity Mailing:** 03/09/20

o 34 Commenting/Reviewing Agencies noticed: 03/12/20

o **Site Posted**: 04/20/20

Neighborhood Meeting: N/A
 Hearing Dates: 04/27/20
 Comments Due: 03/23/20

External List (Comments)	Response	Date	"No	Written	Comments
	Received	Received	Comment"	Comments	Attached
Yuma County Airport Authority		03/16/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.		03/13/20	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor		03/13/20	X		
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.		03/12/20	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration		03/16/20	X		
City of Yuma Internal List	Response	Date	"No	Written	Comments
(Conditions)	Received	Received	Conditions"	Conditions	Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks		03/16/20	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire		03/17/20		X	
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office		03/24/20		X	Х
Jay Simonton, Utilities	NR				
Joel Olea, Public Works	NR				

Neighborhood Meeting	Comments Available
Not Required	See Staff Report Attachment
Prop. 207 Waiver	
Received by Owner's signature on the application f	for this land use action request.

PUBLIC COMMENTS RECEIVED:

INTERNAL COMMENTS

Conditions of approval conditions will be used					
□ Condition(s)		No Conditio	on(s)		Comment
mile from the boundary Special Use Airspace. recorded that recogniz nearby Marine Corps A	y of the BMGR-V It is requested the sthe noise, into Air Station Yuma copy of the recor	V and as such hat a Range D erference or vi /Yuma Interna	is subject to aviation Disclosure Statement brations due to aviati tional Airport Aviation	traffic in a and Aviga on operat on Complex	abject parcel is located 1 and out of the Range and ation easement be ions that may occur at the a and its associated flight c.mil. Thank you for the
DATE:	24 Mar2020	NAME:	Antonio Martinez	TITLE:	Community Liaison
CITY DEPT: PHONE: RETURN TO:	MCAS Yuma 928-269-2103 Richard Mungu Richard.Mungu	iia	a. Mantz		Specialist



STAFF REPORT TO THE PLANNING AND ZONING COMMISSION DEPARTMENT OF COMMUNITY DEVELOPMENT COMMUNITY PLANNING DIVISION CASE TYPE – REZONE

CASE TYPE – REZONE
CASE PLANNER: CHAD BROWN

Hearing Date: April 27, 2020 Case Number: ZONE-27421-2019

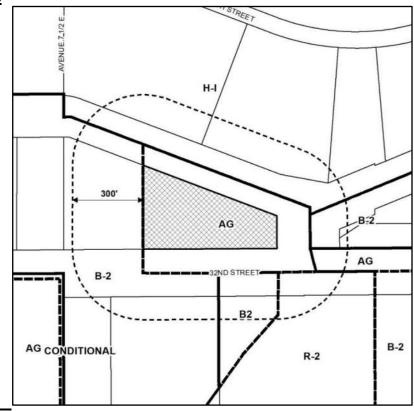
<u>Project Description/Location:</u> This is a request by Core Engineering Group, on behalf of Susan

Lee Bettaile Trust, to rezone 3.25 acres from the Agriculture (AG) District to General Commercial (B-2) District, for the property

located at 7600 E. 32nd St., Yuma, Arizona.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Agriculture (AG)	Living Easy Lifestyles	Medium Density Residential
North	Heavy Industrial (H-I)	FedEx Ground	Industrial
South	General Commercial (B-2)	All Secure Self Storage	Commercial
East	General Commercial (B-2)	Partially developed outdoor storage	Commercial
West	General Commercial (B-2)	Newberrys Furniture	Commercial

Location Map



Prior site actions: Annexation: July 3, 1999 (O99-29); General Plan Amendment: February 19, 2020 (R2020-002); Pre-Development Meeting March 28, 2019 (PDM-25606-2019).

<u>Staff Recommendation:</u> Staff recommends **APPROVAL** of the rezoning from the Agriculture

(AG) District to General Commercial (B-2) District, subject to the

conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-27421-2019 as presented, subject to

the staff report, information provided during this hearing, and the

conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is

recommending approval to City Council for the request to rezone from the Agriculture (AG) District to General Commercial (B-2) District for the property located at 7600 E. 32nd St., Yuma, Arizona, subject to the conditions outlined in Attachment A, and affirmatively finds that the

request is in conformance with the City of Yuma General Plan.

Staff Analysis:

The intent of this rezone is to match the zoning designation to the existing use, while also improving the property's development standards to meet code requirements. The owner wishes to develop and lease the lot for a use similar to what it had been used for in the past—RV and manufactured home sales. Between 1992 until around 2014 the subject property was used for manufactured home sales. After annexation of the area in 1999, the use was considered legal non-conforming. This non-conforming status was lost following an extended period do inactivity on the property.

The subject property underwent a General Plan Amendment to change the land use designation from Medium Density Residential to Commercial. The request was approved by City Council on February 19, 2020 (R2020-002).

Many of the uses in the area are commercial in nature. East 32nd Street is also a major roadway within our community featuring many commercial businesses. Therefore, staff believes that the proposed rezone would compliment neighboring uses and would be in line with development goals for the area.

1. Does the proposed zoning district conform to the Land Use Element? Yes.

2. Are there any dedications or property easements identified by the Transportation Element? Yes.

Transportation Element	Planned	Existing	Difference	Requested
E. 32 nd St.—Principle Arterial	64 FT H/W	100 FT H/W	+36 FT	0'
·	ROW	ROW		

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan?

Yes.

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes.

Does the proposed agreements or subditedYes.	d rezoning conform to Counc visions for this site?	cil's prior approval of r	rezonings, development
External Agency Comments:	See Attachment E	3.	
Neighborhood Mee Comments:	No Meeting Requ	ired.	
Proposed condition	ns delivered to applicant on:	April 6, 2020	
Final staff report de	elivered to applicant on:	April 27, 2020	
X Applicant did n	ot agree with the following con	ditions of approval: Con-	dition #5
Attachments			
² A	В	С	D
Conditions of Approval	External Agency Comments	Aerial Photo	Staff Research
Prepared By: Chad Brown Associate Planner	Chad.Brown@yumaa	Date: 9//3 /	

Date: 04/13/2020

Approved By: Lyosa Finilli Alyssa Linville, Assistant Director Community Development

ATTACHMENT A CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department Of Community Development Comments: Alyssa Linville, Assistant Director (928) 373-5000 X 3037:

- 1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
- 2. The Owner signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
- 3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Community Planning, Chad Brown, Associate Planner, (928) 373-5000 x 3038

- 4. The subject property will be required to landscape, provide paved parking and access, and add adequate lighting, as identified within the zoning code.
- 5. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B EXTERNAL AGENCY COMMENTS

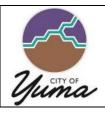
	\boxtimes	COMMEN	т 🗆	NO COMMEN	Т
Enter comments l	below:				
	The parcel is co				nere is Heavy Industrial on the north bosed use will be in character within
DATE:	3/14/20	NAME:	Javier Barra	za TITLE:	Senior Planner
AGENCY:	Yuma Coun	ty AZ., DDS,	, Planning and	Zoning	
PHONE:	(928) 817-50	000			
RETURN TO:	Chad Brow	25 THE RESERVE TO THE	_		
	Chad.Brow	n@YumaAZ	<u> </u>		

ATTACHMENT C AERIAL PHOTO



IMAGE: THE RED RECTANGLE ILLUSTRATES LOCATION OF THE SUBJECT PROPERTY.

ATTACHMENT D STAFF RESEARCH



STAFF RESEARCH - REZONE

CASE #: ZONE-27421-2019
CASE PLANNER: CHAD BROWN

I. PROJECT DATA

ROJECT L	/ATA																		
Project L	ocatio	n:					- ' '			y 1600	feet	fron	n E.	32 nd	St. ar	nd Ave	enue 8	8 E and	<u> </u>
Parcel N	lumbei	r(s):					698-	31-00)5										
Parcel S	ize(s):						141,	578											
Total Ac	reage:						3	.25											
Propose	d Dwe	lling	Units:				N	one											
Address	:						7600	E. 3	2 nd	St.									
Applican	it:						Susa	Susan Lee Battaile Trust											
Applican	t's Age	ent:					Core	ore Engineering Group, PLLC											
Land Use Conformity Matrix:							Conf	orms	:	Yes	Χ	No							
Zoning Overlay: Public AO							Auto)		B&B			His	storic		Infill		None	X
Airport	Airport Noise Contours 65-70					0	7	0-75		75+		AP	Z1		APZ2		Clea	r Zone	-
Existing Zoning					g				Use(s	s) or	n-site	9	G	enera	al Plai	n Des	ignatio	n	
Site Agriculture (AG))					ng E estyl			Me	edium	n Den	sity R	esident	ial	
North	North Heavy Industrial (H-					H-I)				FedE	x Gr	ound	t			Indu	ustrial		
South	,				(B-	-2)			All Se	cure		f			Comi	merci	al		
East	East General Commercial (E				(B-	-2)		Partially developed outdoor storage						Commercial					
West		G	eneral Co	mn	nercial	(B-	-2)			Nev	wber rnitu	rys				Comi	merci	al	
Prior Ca	ses or	Rela	ted Action	s:			Yes.												
<u>Type</u>					0	onf	<u>forms</u>												
Pre-Ann	exatio	n Agr	reement		Yes		No	No N/A											
Annexat	ion				Yes	Х	No			ly 3, 19									
General	Plan A	4men	dment		Yes	Х	No		Fe	bruary	19,	2020	(R2	2020-	002)				
Develop	ment A	Agree	ement		Yes		No		N/	A									
Rezone					Yes		No		N/	A									
Subdivis	ion				Yes		No		N/										
Conditio	nal Us	e Pe	rmit		Yes		No		N/	A									
Pre-Dev	•				Yes	Х	No			arch 28	, 20	19 (F	PDM	-2560	06-20	19)			
	Design Review Commission Yes						No		N/										
	Enforcement Actions Yes						No		N/					_					
	Avigation Easement Recorded Yes						No	X		e #									
Land Div			s:				·			record									
Irrigation							Yuma Mesa Irrigation and Drainage District												
			n Canals				B canal 18.95 Acre Feet a Year												
_			n: <i>(5.83 a</i>									ar							
Water Conversion Agreement Require					irec	d Ye	S	١	No X										

II. CITY OF YUMA GENERAL PLAN

Land Use Element:											
Land Use Designation:		Con	nmerc	ial							
Issues:		Non	ie								
Historic District: Brinley Av	/enue	С	entury	Heigh	nts	Ма	in Street	N	lone X		
Historic Buildings on Site:	Υe		No			"			1	1	
Transportation Element:		•									
FACILITY PLANS											
Transportation Master Plan	1	Plann	ed	Exis	sting	Gatew	ay Sce	nic	Hazard	Truck	
32 nd Street—Principle Arte	erial	64 FT H/W 100 FT H/W X ROW ROW								Х	
Bicycle Facilities Master Pla	n	Proposed bike path									
YCAT Transit System		Orange Route 2									
Issues:		None									
Parks, Recreation and Open	Space	Elemen	nt:								
Parks and Recreation Facility Plan											
Neighborhood Park: Existing: Desert Ridge Park Future: Desert Ridge Park											
Community Park: Ex	xisting: N	/A				Futur	e: North/So	outh Mes	a Communi	ty Park	
Linear Park: Ex	xisting: N	/A				Futur	e: B Canal	Linear P	ark		
Issues: N	one										
Housing Element:	Housing Element:										
Special Need Household:	· ·										
Issues:	Noi	ne									
Redevelopment Element:											
Planned Redevelopment Are	ea: N/	A									
Adopted Redevelopment Pla	an: No	rth End	:	Cai	rver Pa	ark:	None:	Х			
Conforms:	Ye	s	No		N/A						
Conservation, Energy & Env	/ironme	ntal Ele	ment								
Impact on Air or Water Reso	ources	Yes		No	Х						
Renewable Energy Source		Yes		No	Х						
Issues: None											
Public Services Element:											
Population Impacts	Dwel	lings &	Type	Proje	cted	Police	Wa	ter	Wastewa	ter	
Population projection per 2013- 2017		residen		Popul		Impact	Consur		Generati		
American Community Survey Police Impact Standard:	Maxim		er Unit	<u> </u>		Officers	GPD	AF	GPD		
1 officer for every 530 citizens;	0	14	0	()	0.00	0	0.0	0		
Water Consumption: 300 gallons per day per person;	Minim	ium	-								
Wastewater generation: 100 gallons per day per person	0		0	()	0.00	0	0.0	0		
Fire Facilities Plan: Existing	ng: Fire S						e Station N				
Water Facility Plan: Sour	ce: Cit	y X	Privat	е	Cor	nection:	20" PV	2			
,	tment:	City	Se	eptic	X F	Private	Conne	ection: N	None		
Issues:	None										
Safety Element:											
Flood Plain Designation:	Χ			Liqu	efaction	n Hazard	Area:	Yes	No X	(
Issues:	None										
Growth Area Element:											

Growth	Araby Rd & Interstate 8			Arizona	Ave	& 16 th St	Avenue B & 32 nd St.					
Area:	North End	Pacific A	Ave & 8 th St Estancia					None				
Issues:	None.											

NOTIFICATION

Legal Ad Published: The Sun (4/3/20)
 300' Vicinity Mailing: (3/9/20)

Hearing Date: (4/27/20)Comments Due: (3/23/20)

• 34 Commenting/Reviewing Agencies noticed: (3/12/20)

External List (Comments)	Response	Date	"No	Written	Comments
	Received	Received	Comment"	Comments	Attached
Yuma County Airport Authority	YES	3/16/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	3/13/20	X		
Yuma County Planning & Zoning	YES	3/16/20		Χ	
Yuma County Assessor	YES	3/13/20	X		
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	3/13/20	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Company	NR				
Western Area Power Admin.	YES	3/16/20	X		
City of Yuma Internal List	Response	Date	"No	Written	Comments
(Conditions)	Received	Received	Conditions"	Conditions	Attached
Rod Hamilton, Police	NR				
Ron Ramirez, Parks	YES	3/16/20	X		
Damon Chango, Parks	NR				
Andrew McGarvie, Engineering	NR				
Kayla Holiman, Fire	YES	3/17/20	X		
Randy Crist, Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	NR				
Jeremy McCall, Utilities	NR				
Joel Olea, Public Works	NR				
Joel Olea, Streets	NR				

Neighborhood Meeting	Comments Available
N/A	Attachment B.
Prop. 207 Waiver	
Provided in application.	